



The City of Grove City, Ohio

4035 Broadway • Grove City, Ohio 43123
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Planning Commission Staff Report
Lower Level Conference Room
July 5, 2016 1:30pm

4. APPLICATION: Parkash & Prashar, LLC (Shell) | Special Use Permit (Outdoor Sales)

Project Number: 201605020028

Location: 3088 Broadway (040-002432)

Proposal: A Special Use Permit to allow for outdoor sales at the Broadway Shell gas station.

Applicant: Thomas Clark, 3083 Columbus Street, Grove City, Ohio 43123

Relevant Code Section(s):

- 1135.09(b)(12), Special Use Permits

Project Summary

The applicant is requesting a special use permit for outdoor sales for the Shell gas station located at 3088 Broadway. Two propane cages and one ice merchandiser are currently located along the front sidewalk adjacent to the convenience store, fronting Broadway. The applicant has indicated that one propane cage is proposed to be relocated to the south side of the structure, but the remaining propane cage and ice merchandiser are proposed to remain along the storefront fronting Broadway. No seasonal changes in display are proposed and the applicant has not indicated that any additional signage or lighting will be installed within the proposed outdoor sales area.

Code Analysis:

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

Standard is Not Met: Staff does not believe that the proposed outdoor sales items will harm the character of the district; however, staff does not feel the placement of the items along the storefront is appropriate for the site and does not match the intended character of the district, at the entrance to the community.

2. *The proposed use shall not adversely affect the use of adjacent property;*

Standard is Met: The proposed outdoor sales area will not affect the use of the adjacent property. All items proposed for outdoor sales will be located directly adjacent to the building, and will not affect circulation around the site or to other properties.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

Standard Not Met: Staff does not feel that the proposed placement of items along the front sidewalk creates a safe environment for pedestrians on the site. All items should be moved to either the north or south side of the structure to allow safe access to the building.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

Standard is Met: The proposed outdoor sales will not place any further demand on public services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

Standard is Met: The proposed outdoor sales will not impact the right-of-way. All items for sale will be located along the building.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

Standard is Not Met: Staff does not believe the location of items along the storefront fronting Broadway meets the general objectives of the Zoning Code to protect the health, safety and welfare of persons in the area. The sidewalk along the storefront is not wide enough to safely place the proposed ice merchandiser and propane cages while allowing adequate room for pedestrians.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

Standard is Met: The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

Standard is Met: The site is located in the C-2, Commercial District, in which outdoor sales, storage, and display of items is permitted with a Special Use Permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

Standard is Met: The applicant properly submitted a completed application.

10. *Outdoor sales, storage, or display shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty feet to a residential zoning district boundary or road right-of-way abutting any residential zoning district or within ten feet of any road right-of-way. Such activities shall not occupy any required parking area or driveway.*

Standard is Met: A site plan has been submitted showing the ice merchandiser and one propane cage on the sidewalk along the front of the building and one propane cage relocated to the south side of the structure. These items will be more than 600 feet from the nearest residential structure and approximately 110 feet to the Broadway right-of-way. The items are all proposed on the sidewalk around the structure and will not occupy and required parking area or driveway.

11. *Any outdoor sales, storage, or display area located closer than one hundred feet to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan.*

Standard is Met: The proposed outdoor sales area is approximately 600 feet from the nearest residential district. The area will not be visible from any residences.

12. *Illumination of outdoor sales, storage, or display areas shall be designed to prevent glare or direct light from the illumination source into residential areas.*

Standard is Met: The applicant is not proposing any additional illumination for the outdoor sales area.

13. *Outdoor display areas shall be maintained in a neat and orderly fashion.*

Standard Can Be Met: Specific measures taken to keep the area neat and orderly have not been identified by the applicant.

14. *Signage for outdoor sales or displays shall comply with Chapter 1145.*

Standard is Met: Detail were not submitted for any additional signage is for the outdoor sales area.

15. *The site plan submitted with an application for a Special Use Permit shall indicate the types of merchandise to be displayed and, if applicable, any seasonal changes of display.*

Standard is Met: No seasonal changes to the display are proposed. The applicant is requesting approval for only one ice merchandiser and two propane cages.

Recommendation

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. The ice merchandiser and propane cages shall be placed on the sidewalk along either the north or south sides of the building.